

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

WB CONSTRUCTION AND SON'S, INC., Plaintiff, vs. PANHANDLE GEOTECHNICAL & ENVIRONMENTAL, INC., MICHAEL OLSEN, MELGAARD CONSTRUCTION COMPANY, INC., Defendants.	5:24-CV-05001-CCT ORDER DENYING AS MOOT MOTION TO QUASH SUBPOENAS
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Pending before this court is a Third-Party Objection to Subpoenas Duces Tecum and Motion to Quash Subpoenas. (Doc. 24). United States District Court Judge Camela C. Theeler referred the motion to this magistrate judge for determination. (Doc. 25).

On September 24, 2024, Plaintiff filed an Amended Notice of Withdrawal of Subpoenas Duces Tecum advising the court that it was withdrawing its subpoena duces tecum served on Versatile Construction Solutions and Steven J. Gunn. (Doc. 27). Good cause appearing, it is hereby

ORDERED that the Motion to Quash (Doc. 24) is denied a moot.

NOTICE TO PARTIES

Pursuant to 28 U.S.C. § 636(b)(1)(A), any party may seek reconsideration of this order before the district court upon a showing that the order is clearly erroneous or contrary to law. The parties have fourteen (14) days after service

of this order to file written objections pursuant to 28 U.S.C. § 636(b)(1)(A), unless an extension of time for good cause is obtained. See FED. R. CIV. P. 72(a); 28 U.S.C. § 636(b)(1)(A). Failure to file timely objections will result in the waiver of the right to appeal questions of fact. Id. Objections must be timely and specific in order to require review by the district court. Thompson v. Nix, 897 F.2d 356 (8th Cir. 1990); Nash v. Black, 781 F.2d 665 (8th Cir. 1986).

DATED this 25th day of September, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Daneta Wollmann', is written over a horizontal line.

DANETA WOLLMANN
United States Magistrate Judge